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UNITED STATES DEPARTMENT OF AGRICULTURE.

OFFICE OF THE SECRETARY.

FEDERAL HORTICULTURAL BOARD.

APR 17 1950

PLANT QUARANTINE DECISION, NO. 1.

The Federal Horticultural Board recommends that Regulation 6 of the Rules and Regulations for carrying out the Plant Quarantine Act, published in Circular No. 41, Revised, Office of the Secretary, be amended by the addition in the first paragraph of a proviso reading as follows:

Provided, however, That nursery stock which can be cleaned by disinfection or treatment may be delivered to the importer, consignee, or agent for the proper care and treatment thereof, upon the filing of a voluntary bond, with approved sureties, double to the invoice value of the property (the amount of the bond in no case to be less than \$20 or less than \$1 per plant in case of date palms and date-palm offshoots, conditioned upon the delivery thereof to the collector of customs 40 days from the date of arrival, and provided that the same shall not be removed from the port of entry until a written notice is given to the collector of customs by the inspector of the Department of Agriculture that the nursery stock in question has been properly treated.

Regulation 6, as amended, shall become and be effective on and after April 1, 1913, and the regulation in full shall read as follows:

Regulation 6. Entry of Nursery Stock.

(Section 1.)

On and after July 1, 1913, entry of nursery stock will not be allowed unless the invoice is accompanied by the original certificate and unless each container bears a copy certificate, issued by a duly authorized official of the country from which it is shipped, stating that the nursery stock covered by these certificates has been thoroughly inspected by him or under his direction and was found, or believed to be, free from injurious plant diseases and insect pests: *Provided,* That for stock to be shipped between October 1 and May 31 such inspection shall be made on or after the 1st of October and for stock shipped during the growing season inspection shall be made at the time of packing: *Provided further,* That on and after July 1, 1913, nursery stock from countries which do not maintain official nursery stock inspection will be admitted into the United States only for experimental purposes and in limited quantities. For such importations a special permit will be required. (See Reg. 5.) Applications for such permits should be addressed, in writing, to the Federal Horticultural Board, specifying the amount and kinds of nursery stock which it is intended to import. Any such shipments will be allowed to enter only through a port which the Secretary of Agriculture will designate in the permit. Such nursery stock shall not be delivered to the importer or consignee until it has been examined

by an inspector of the Department of Agriculture and found to be free from plant diseases and insect pests: *Provided, however,* That nursery stock which can be cleaned by disinfection or treatment may be delivered to the importer, consignee, or agent for the proper care and treatment thereof, upon the filing of a voluntary bond, with approved sureties, double to the invoice value of the property (the amount of the bond in no case to be less than \$20 or less than \$1 per plant in case of date palms and date-palm offshoots) conditioned upon the delivery thereof to the collector of customs 40 days from the date of arrival, and provided that the same shall not be removed from the port of entry until a written notice is given to the collector of customs by the inspector of the Department of Agriculture that the nursery stock in question has been properly treated.

Prior to July 1, 1913, it will not be required that the original certificate of inspection accompany the invoice, but each container of imported nursery stock must bear a copy of the certificate of inspection in the form authorized by the responsible inspection official of the country of origin.

Prior to July 1, 1913, nursery stock from countries which maintain no official nursery-stock inspection will be admitted into the United States only through the ports of New York, San Francisco, Seattle, Jacksonville, New Orleans, Honolulu, and San Juan after examination by inspectors of the Department of Agriculture at the port of entry, if found to be free from plant diseases and insect pests.

Collectors of customs will be notified from time to time, through the Secretary of the Treasury, of the countries which maintain official nursery stock inspection.

Entry will not be allowed unless the case, box, or other container or covering is plainly and correctly marked to show the number of permit, the general nature and quantity of the contents, the district or locality and country where grown, the name and address of the exporter, and the name and address of the consignee.

Nursery stock offered for entry without compliance with these regulations will be refused admission. Nursery stock, inspected as provided herein, which is found to be carrying dangerous insects or plant diseases may be treated or destroyed, as circumstances require.

When a package of imported nursery stock includes any prohibited species, the entire package will be refused entry and treated or destroyed as circumstances may require.

All charges for storage, cartage, and labor incident to inspection, other than the services of inspectors, shall be paid by the owner or consignee.

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Approved:

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., March 1, 1913.

